



To the Honorable Council
City of Norfolk, Virginia

September 11, 2018

From: Leonard M. Newcomb III, CFM, Acting Planning Director *L. Newcomb III*

Subject: **MP Island Cafe**, for a Conditional Use Permit for the Sale of Alcoholic Beverages, Off-Premises at 6109 E. Virginia Beach Boulevard

Reviewed: *[Signature]*
Wynter C. Benda, Chief Deputy City Manager

Ward/Superward: 4/7

Approved: *[Signature]*
Douglas L. Smith, City Manager

Item Number: **C-9**

I. **Staff Recommendation:** Approval.

II. **Planning Commission Recommendation:** By a vote of **6 to 0**, the Planning Commission recommends **Approval**.

III. **Request:** Conditional Use Permit to add the sale of alcoholic beverages for off-premises consumption to an existing restaurant.

IV. **Applicant:** MP Island Cafe

V. **Description:**

- In accordance with the *Zoning Ordinance*, the applicant has been granted a Zoning Certificate to operate a restaurant without entertainment and closing by 11:00 p.m.
- Similar to his existing establishment at 5957 E. Virginia Beach Boulevard, the request is to allow MP Island, to sell wine, beer, and specialty-sized single beers for off-premises consumption as part of the international grocery component of his business.
- He will continue to operate his other location, but will be changing the type of food offered at that location.
 - The alcoholic beverages sold for off-premises consumption will be available in the specialty retail portion of their business, which requires a Conditional Use Permit.
 -

	Proposed
Hours of Operation	9:00 a.m. until 11:00 Seven days a week

Hours for the Sale of Off-Premises Alcohol	11:00 a.m. until 11:00 p.m. Seven days a week
Off-Premises Alcohol Container Sizes	<ul style="list-style-type: none"> • No less than 6-packs of beer • Wine (no less than 375 mL) • Specialty-sized single beers

VI. Historic Resources Impacts:

The site is not located in any local, state, or federal historic district.

VII. Public Schools Impacts:

According to the *Existing ABC Establishments and Norfolk Public Schools Proximity Map* (see attached), the proposed property is not within 1,000 feet of any public school.

Staff contact: Susan Pollock at (757) 664-4765, susan.pollock@norfolk.gov

Attachments:

- Proponents and Opponents
- Staff Report to CPC dated August 23, 2018 with attachments
- Ordinance

Planning Commission Public Hearing: August 23, 2018

Executive Secretary: Leonard M. Newcomb, III, CFM *LMN*

Staff Planner: Susan Pollock, CFM *SP*

Staff Report	Item No. C - 4	
Address	6109 E. Virginia Beach Boulevard, Suite B.	
Applicant	MP Island Cafe	
Request	Conditional Use Permit	Sale of Alcoholic Beverages, Off-Premises
Property Owner	Shepherd Investment, LLC	
Site Characteristics	Building/ Suite Area	9,339 sq. ft./6,116 sq. ft.
	Future Land Use Map	Commercial
	Zoning	C-C (Community Commercial)
	Neighborhood	Lake Taylor
	Character District	Suburban
Surrounding Area	North	C-C: Allied Forces offices, Cat Hospital, J&M Tires
	East	Interstate 64
	South	MF-NS (Multi-Family – Neighborhood-Scale) Senior Living Apartments
	West	C-C: Wash Land laundromat; Mobility Works; Loan Max Title Loans



A. Summary of Request

- The site is located on the south side of E. Virginia Beach Boulevard just west of Interstate 64.
- This request would allow the sale of off-premises alcohol service for the grocery component of MP Island.

B. Plan Consistency

The proposed Conditional Use Permit is consistent with *plaNorfolk2030*, which designates this site as Commercial.

C. Zoning Analysis

i. General

- In accordance with the *Zoning Ordinance*, the applicant has been granted a Zoning Certificate to operate a restaurant without entertainment and closing by 11:00 p.m.
- Similar to his existing establishment at 5957 E. Virginia Beach Boulevard, the request is to allow MP Island, to sell wine, beer, and specialty-sized single beers for off-premises consumption as part of the international grocery component of his business.
- He will continue to operate his other location, but will be changing the type of food offered at that location.
 - The alcoholic beverages sold for off-premises consumption will be available in the specialty retail portion of their business, which requires a Conditional Use Permit.

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Off-Premises Alcohol Container Sizes	<ul style="list-style-type: none">• No less than 6-packs of beer• Wine (no less than 375 mL)• Specialty-sized single beers

ii. Parking

- The site is located in a Suburban Character district which requires one parking space per 150 square feet of assembly area for restaurants and one parking space per 250 square feet for the grocery component and the retail service space (Loan Max).
 - 35 spaces are required for the restaurant/grocery component and 13 spaces for the retail service for a total of 48 parking spaces.
 - 52 spaces are provided on site.

- Additionally, for a restaurant of this size located within the Suburban Character District, the *Zoning Ordinance* requires that the site provide sufficient room to accommodate two bicycles.

iii. Flood Zone

The property is located in the X Flood Zone, which is a low-to-moderate-risk flood zone.

D. Transportation Impacts

- No increase in trips is forecasted related to the proposed addition of off-premises alcohol sales at this permitted restaurant and grocery location.
- E. Virginia Beach Boulevard is identified as a severely congested corridor in the PM peak hours in the current update to regional Hampton Roads Congestion Management analysis.
- The site is near transit services with Hampton Roads Transit bus routes 20 (Virginia Beach) and 25 (Newtown) operating near the site.
- E. Virginia Beach Boulevard is not an identified priority corridor in *The City of Norfolk Bicycle and Pedestrian Strategic Plan*.

E. Historic Resources Impacts

The site is not located in any local, state, or federal historic district.

F. Public Schools Impacts

According to the *Existing ABC Establishments and Norfolk Public Schools Proximity Map* (see attached), the proposed property is not within 1,000 feet of a Norfolk Public School.

G. Environmental Impacts

- As a condition of the Conditional Use Permit, the following improvements will be made:
 - A new five-foot landscape buffer yard will be provided along E. Virginia Beach Boulevard.
 - A six-foot sidewalk will be provided along E. Virginia Beach Boulevard.
 - A new curb cut, as recommended by Transportation Staff, will be provided on the eastern portion of the site and the parking spaces will be angled to allow easier ingress/egress from those spaces.
- The new landscape buffer yard is located in an area of the site with the lowest ground elevation, where stormwater runoff naturally drains; increasing perviousness.

H. AICUZ Impacts

N/A

I. Impact on Surrounding Area/Site

By requiring this use to conform to the conditions listed below, the proposal should not have a negative effect on the surrounding neighborhood.

J. Payment of Taxes

The owner of the property is current on all taxes.

K. Civic League

- The application was sent to the Lake Taylor Civic League on May 21.
- An email of support was received on April 23.

L. Communication Outreach/Notification

- Legal notice was posted on the property on May 22.
- Letters were mailed to all property owners within 300 feet of the property on July 11.
- Legal notification was placed in *The Virginian-Pilot* on July 12 and July 19.

M. Recommendation

Staff recommends the Conditional Use Permit request be **approved** subject to the conditions shown below:

- (a) The hours of operation for the sale of alcoholic beverages for off-premises consumption shall be limited to 11:00 a.m. until 11:00 p.m., seven days a week.
- (b) This conditional use permit shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new conditional use permit is granted showing the new owner, whichever is earlier.
- (c) No alcoholic beverages other than those defined as "beer," "wine," "wine cooler," or "low alcohol beverage cooler," as defined by state law, shall be sold.
- (d) No alcoholic beverage having more than 21% alcohol by volume shall be sold.
- (e) No beer shall be sold in any package containing fewer than six (6) bottles or cans, with the exception of those bottled beers which are exclusively produced in bottles greater than 12 ounces but less than 32 ounces in size. No wine shall be sold in containers less than 375 ml each.
- (f) The following improvements shall be constructed or installed on the site and no business license shall be issued until these improvements have been fully implemented:

- i. Landscaping and a sidewalk shall be installed and maintained in accordance with the attached landscape plan, marked "Exhibit B," and attached hereto, subject to any revisions required by the Department of Recreation, Parks, and Open Space. The property owners and their agents shall be responsible for providing, protecting, and maintaining all landscaping in a healthy and growing condition, replacing dead or damaged vegetation, and keeping all landscaped areas free of refuse and debris.
 - ii. A dumpster enclosure shall be installed in a location that does not interfere with any existing required parking spaces, impede the drive aisle, or located within any required buffer yard or setback, and conform with all the requirements of section 5.4.4, "Screening Standards," of the *Zoning Ordinance* of the City of Norfolk, 2018, as amended.
 - iii. Two bicycle parking spaces shall be provided on the site.
- (g) The facility shall maintain a current, active business license at all times while in operation.
- (h) The business authorized by this Conditional use permit shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Conditional use permit. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Conditional use permit must be obtained prior to any such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (i) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Conditional use permit. This Conditional use permit may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (j) A copy of this Conditional use permit ordinance and "Exhibit A" shall be available on site at all times for inspection, and a notice indicating that this Conditional use permit ordinance and all amendments are kept on the premises and are available for review by any member of the general public

shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.

- (k) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the conditional use permit so as to keep such areas free of litter, refuse, and both solid and liquid waste.
- (l) At all times, all temporary window signage must comply with the applicable regulations of section 5.7.7(B)(5) of the *Zoning Ordinance* of the City of Norfolk, 2018 (as amended), entitled "Temporary Window Signs."

Attachments:

- Conditional Use Permit Review Standards
- Overview map
- Location map
- Zoning map
- 1000' radii map of similar ABC establishments and Norfolk Public Schools
- Application
- Landscape plan
- Notification list of all property owners within 300 feet of the site
- Notice to the Lake Taylor Civic League
- Email of support from the Civic League

Proponents and Opponents

Proponents

Jacqueline Palmer
1302 Dominion Lakes Boulevard
Chesapeake, VA 23320

Opponents

None

Form and Correctness Approved *RAP*

By *[Signature]*

Office of the City Attorney

Contents Approved: *[Signature]*

By *[Signature]*

DEPT.

NORFOLK, VIRGINIA

ORDINANCE No. 47,355

C-9
AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT AUTHORIZING THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION AT AN ESTABLISHMENT NAMED "MP ISLAND CAFÉ" ON PROPERTY LOCATED AT 6109 EAST VIRGINIA BEACH BOULEVARD, SUITE B.

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a conditional use permit is hereby granted to Caribbean Isles, LLC authorizing the accessory use of the sale of alcoholic beverages, off-premises, at an establishment named "MP Island Café."

Section 2:- That the full extent of the property or properties where the permit or permits described above are hereby made effective, upon the date set forth below, is described as follows:

Property fronts 224 feet, more or less, along the southern line of East Virginia Beach Boulevard beginning 192 feet, more or less, from the eastern line of Poplar Hall Drive and extending eastwardly; premises numbered 6109 East Virginia Beach Boulevard, Suite B.

Section 3:- That the conditional use permit or permits granted herein shall be subject to all of the general conditions set forth in section 2.4.8.D of the Norfolk Zoning Ordinance and all of the following additional conditions, requirements, and limitations:

- (a) The operation of the accessory use of Sale of Alcoholic Beverages, Off-premises, must be conducted in accordance with the applicable performance standards that are set forth in section 4.3 of the Norfolk Zoning Ordinance adoption of this ordinance.
- (b) The hours of operation for the sale of alcoholic beverages for off-premises consumption shall be limited to 11:00 a.m. until 11:00 p.m., seven days

per week.

- (a) This conditional use permit shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new conditional use permit is granted showing the new owner, whichever is earlier.
- (b) No alcoholic beverages other than those defined as "beer," "wine," "wine cooler," or "low alcohol beverage cooler," as defined by state law, shall be sold.
- (c) No alcoholic beverage having more than 21% alcohol by volume shall be sold.
- (d) All beer sold for off-premises consumption shall be in a package containing a minimum of six (6) bottles or cans, with the exception of those bottled beers which are exclusively produced in bottles greater than 12 ounces but less than 32 ounces in size. No wine shall be sold in containers with a minimum of 375 ml each.
- (e) The following improvements shall be constructed or installed on the site and no business license shall be issued until these improvements have been fully implemented:
 - (1) Landscaping shall be installed and maintained in accordance with the attached landscape plan, marked "Exhibit B," and attached hereto, subject to any revisions required by the Department of Recreation, Parks, and Open Space. The property owners and their agents shall be responsible for providing, protecting, and maintaining all landscaping in a healthy and growing condition, replacing dead or damaged vegetation, and keeping all landscaped areas free of refuse and debris.

- (2) A dumpster enclosure shall be installed in a location that does not interfere with any existing required parking spaces, impede the drive aisle, or located within any required buffer yard or setback, and conform with all the requirements of section 5.4.4, "Screening Standards," of the Norfolk Zoning Ordinance of the City of Norfolk, 2018, as amended.
- (3) Two bicycle parking spaces shall be provided on the site.
- (f) The facility shall maintain a current, active business license at all times while in operation.
- (g) The business authorized by this conditional use permit shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this conditional use permit. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new conditional use permit must be obtained prior to any such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (h) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this conditional use permit. This conditional use permit may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (i) A copy of this conditional use permit ordinance and "Exhibit A" shall be available on site at all times for inspection, and a notice indicating that this conditional use permit ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be

posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.

(j) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so as to keep such areas free of litter, refuse, and both solid and liquid waste.

(k) At all times, all temporary window signage must comply with the applicable regulations of section 5.7 of the Norfolk Zoning Ordinance.

Section 4:- That the City Council hereby determines that the conditional use permit or permits granted herein comply with each of the standards set forth in section 2.4.8.C of the Norfolk Zoning Ordinance.

Section 5:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENTS:

Exhibit A (2 pages)

Exhibit B (1 page)

Adopted by Council September 11, 2018
Effective September 11, 2018

TRUE COPY
TESTE:

RICHARD ALLAN BULL, CITY CLERK

BY: _____
CHIEF DEPUTY CITY CLERK



EXHIBIT "A"

Description of Operations
Sale of Alcoholic Beverage for Off-Premises

Date of Application: 1 March 2018

Name of business: MP Island Cante

Address of business: 6109 EAST Virginia Beach Blvd

Name(s) of business owner(s)*: Ashley Allen, Michael Palmer & Jacqueline Palmer - Caribbean Isles, LLC

Name(s) of property owner(s)*: Shepherd Investment LLC - Douglas C. Shepherd

Name of business managers/operators Jacqueline Palmer; Michael Palmer
Ashley Allen; _____; _____

Daytime telephone number: (757) 860 4997

*If business or property owner is partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility		Alcoholic Beverage Sales	
Weekday	From: <u>9 AM</u> To: <u>11 PM</u>	Weekday	From: <u>11 AM</u> To: <u>11 PM</u>
Friday	From: <u>9 AM</u> To: <u>11 PM</u>	Friday	From: <u>11 AM</u> To: <u>11 PM</u>
Saturday	From: <u>9 AM</u> To: <u>11 PM</u>	Saturday	From: <u>11 AM</u> To: <u>11 PM</u>
Sunday	From: <u>9 AM</u> To: <u>11 PM</u>	Sunday	From: <u>11 AM</u> To: <u>11 PM</u>

2. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☒ Mixed Beverage

3. Alcoholic beverages to be sold:

☒ Room temperature ☒ Refrigerated

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January 2018)

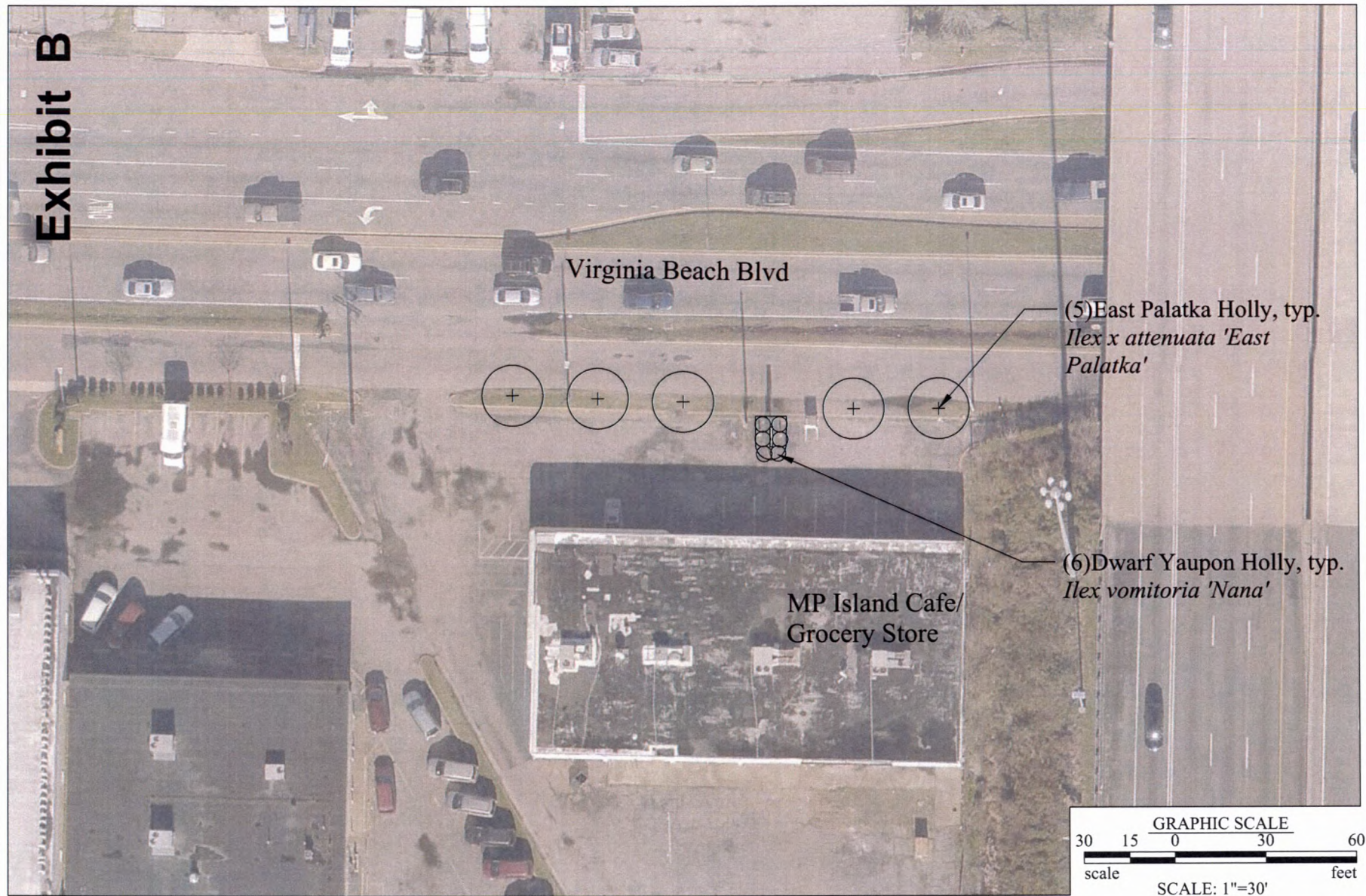
Sale of Alcoholic Beverages for Off-Premises

4. As a general rule, the City does not approve selling beer in a single-sized serving container or selling wine in a bottle that is less than 375 milliliters. If you are seeking approval to sell servings that do not meet these criteria, please explain your justification as well as indicate what sizes you would sell:

requesting single sales for specialty beer & wine only

Jacqueline Palmer
Signature of applicant/owner

Exhibit B

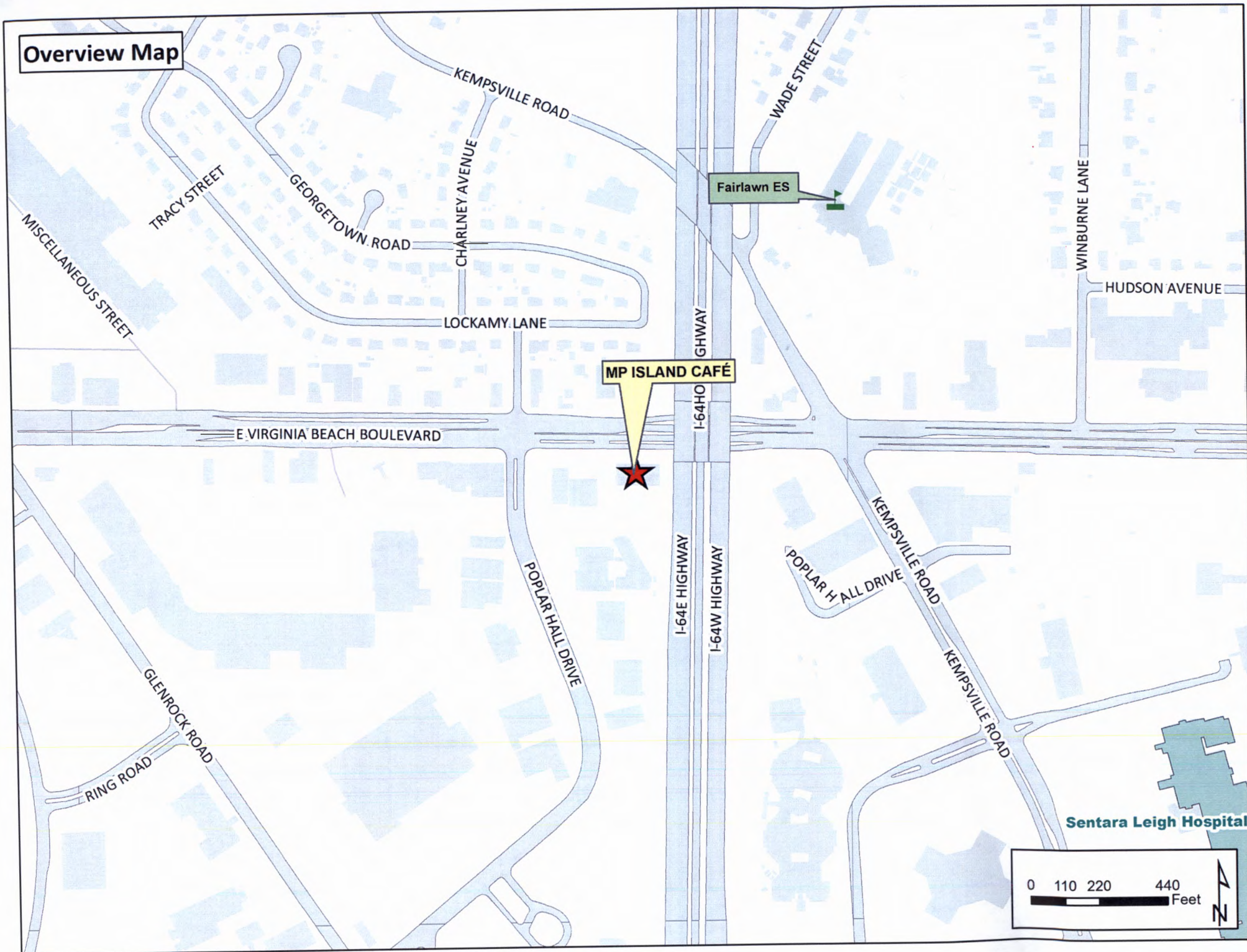


2.4.8.C. CONDITIONAL USE PERMIT REVIEW STANDARDS

A Conditional Use Permit may be approved if the applicant demonstrates that the proposed conditional use:

- 1) Is consistent with the purposes, goals and policies of the comprehensive plan and other applicable city-adopted plans;
- 2) Complies with all applicable zoning district-specific standards in Article 3. Zoning Districts;
- 3) Complies with all applicable use-specific standards in Article 4. Performance Standards;
- 4) Complies with all applicable development and design standards in Article 5. Development Standards;
- 5) Complies with all relevant subdivision and infrastructure standards in Chapter 42.5 of City Code;
- 6) Is appropriate for its location and is compatible with the general character of surrounding lands and the types, scale, and intensity of uses allowed in the zoning district where proposed;
- 7) Adequately screens, buffers, or otherwise minimizes adverse visual impacts on adjacent lands;
- 8) Avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, night-time activity, and other site elements;
- 9) Avoids significant deterioration of water and air resources, scenic resources, and other natural resources;
- 10) Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;
- 11) Is served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- 12) Maintains adequate parking, loading and other necessary facilities to serve the proposed use;
- 13) Will not substantially diminish or impair the value of the land within the neighborhood in which it is located.
- 14) Will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various Conditional Use Permits of all types on the immediate neighborhood and the effect of the proposed type of Conditional Use Permit on the city as a whole;
- 15) Complies with all other relevant city, state and federal laws and standards; and
- 16) Is required by the public necessity, convenience, general welfare, or good zoning practice.

Overview Map



Location Map

POPLAR HALL DRIVE

E VIRGINIA BEACH BOULEVARD

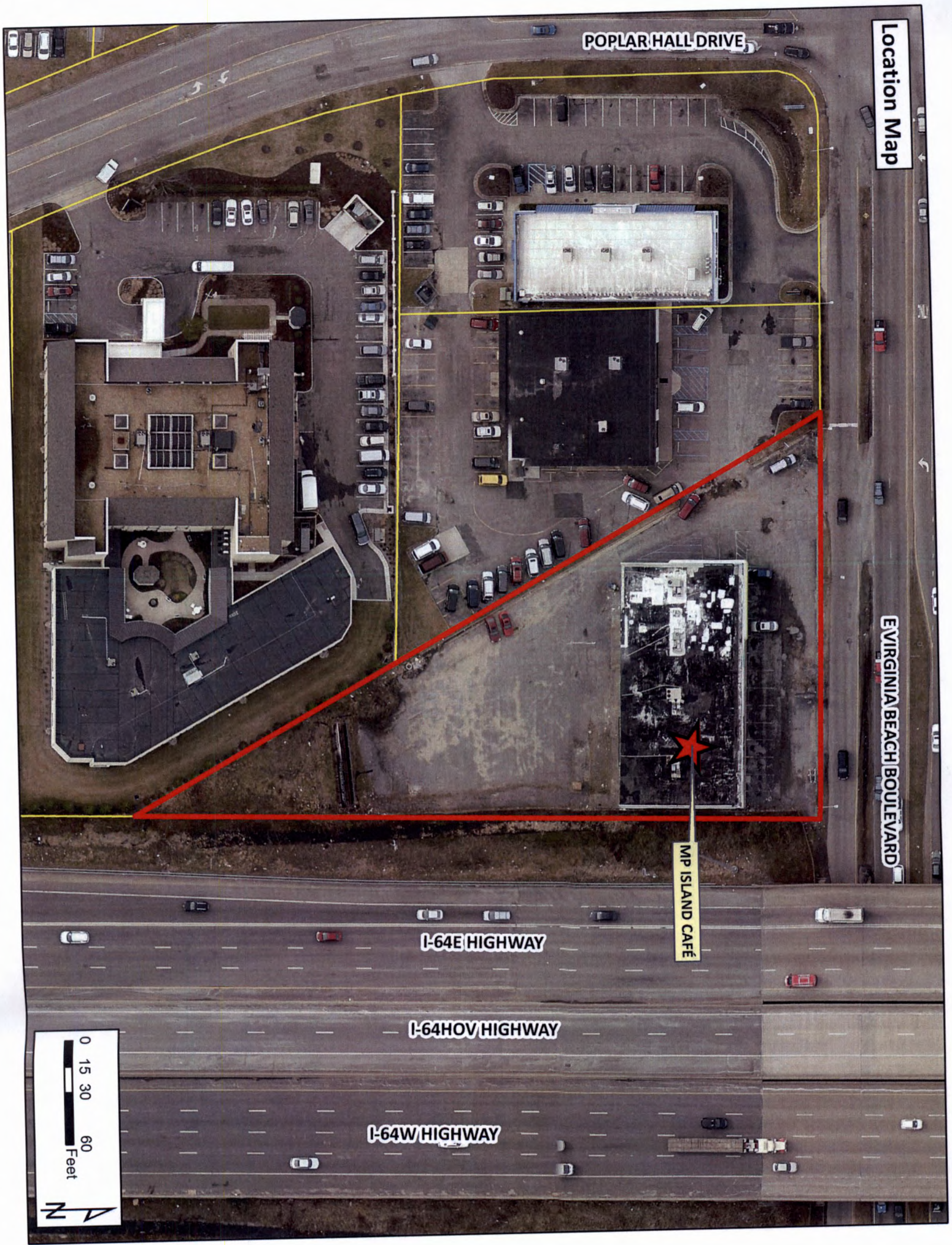
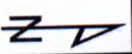
MP ISLAND CAFE

I-64E HIGHWAY

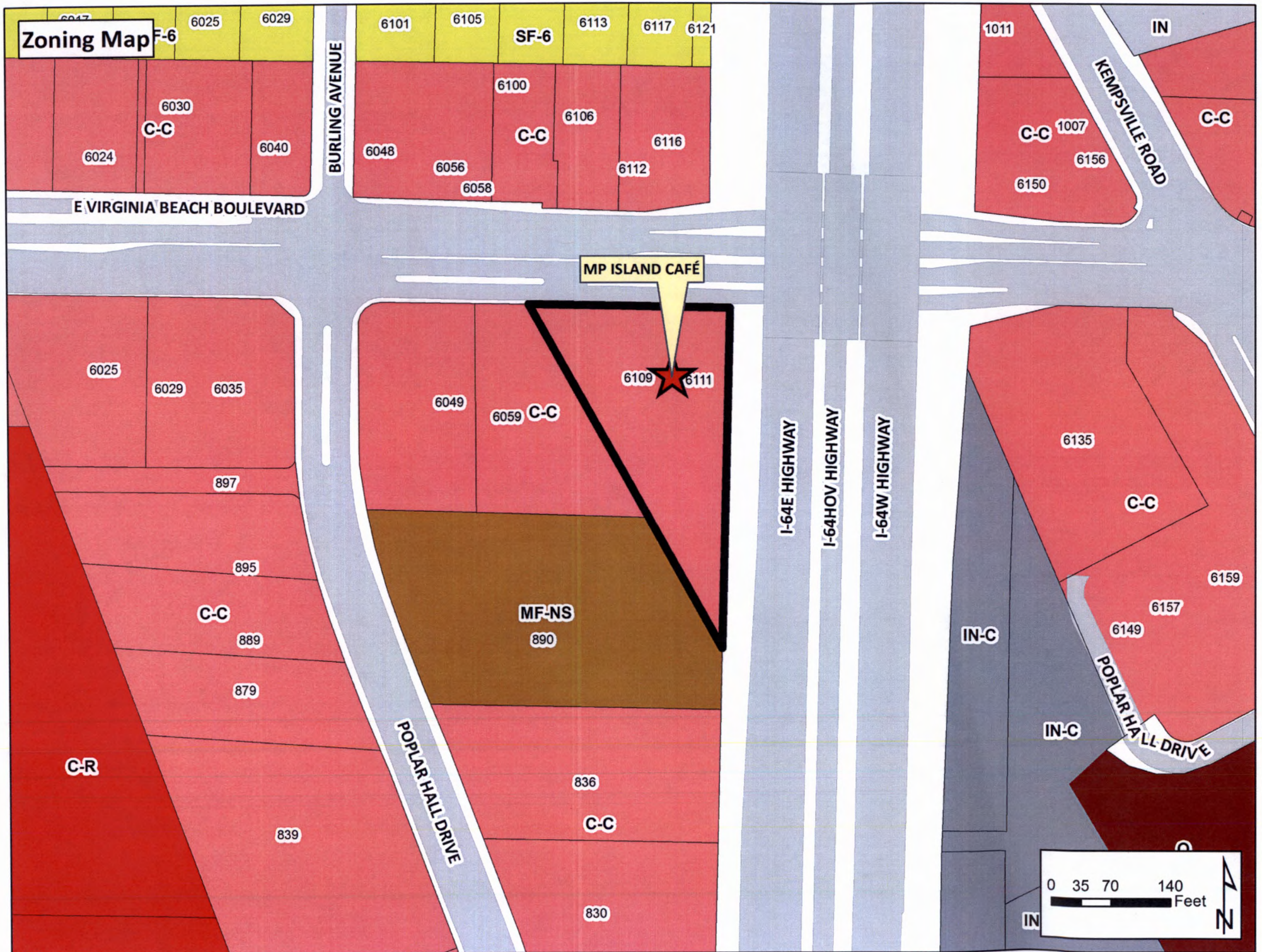
I-64HOV HIGHWAY

I-64W HIGHWAY

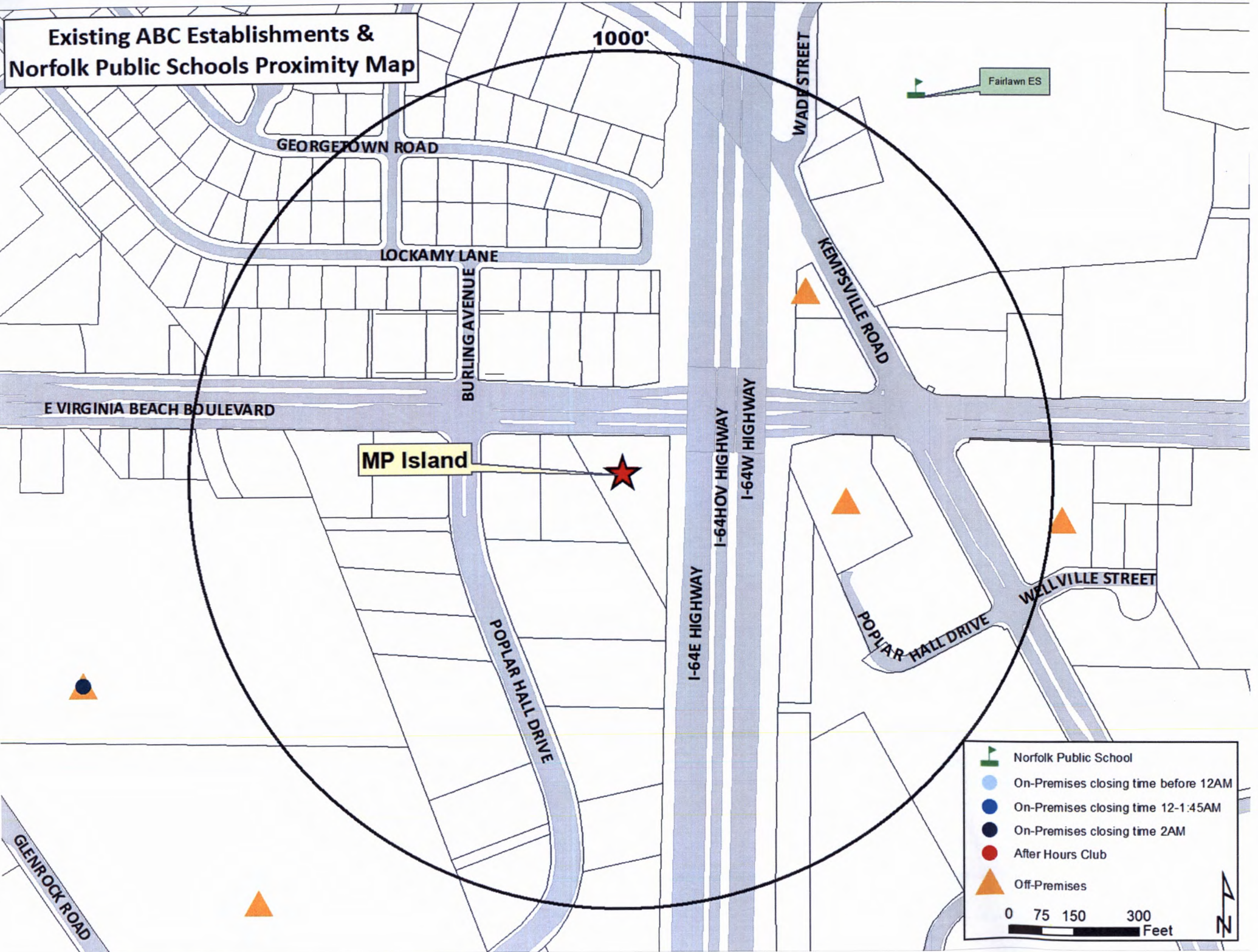
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Zoning Map



Existing ABC Establishments & Norfolk Public Schools Proximity Map



1000'

GEORGETOWN ROAD

LOCKAMY LANE

BURLING AVENUE

E VIRGINIA BEACH BOULEVARD

MP Island

WADE STREET

KEMPVILLE ROAD

Fairlawn ES

I-64E HIGHWAY

I-64HOV HIGHWAY


I-64W HIGHWAY


POPLAR HALL DRIVE


POPLAR HALL DRIVE


WELLVILLE STREET


GLENROCK ROAD


 Norfolk Public School

 On-Premises closing time before 12AM


 On-Premises closing time 12-1:45AM

 On-Premises closing time 2AM

 After Hours Club

 Off-Premises

0 75 150 300 Feet





Application
Conditional Use Permit
Sale of Alcoholic Beverages for Off-Premises
(Please Print)

Date 1 MAR 2018

DESCRIPTION OF PROPERTY

Address: 6109 EAST Virginia Beach Blvd, Norfolk VA Suite B

Existing Use of Property: VACANT

Proposed Use: RESTAURANT AND GROCERY

Current Building Square Footage: 9000 SQM Proposed Building Square Footage: 6113 SQ FT

Trade Name of Business (if applicable): MP Island Cafe

APPLICANT*

1. Name of applicant: (Last) Palmer (First) Jacqueline (MI) E

Mailing address of applicant (Street/P.O. Box): 6109 East Virginia Beach Blvd

(City): Norfolk (State): VA (Zip Code): 23502

Daytime telephone number of applicant: (757) 560 4997

E-mail address: MPISlandcafe@gmail.com

AUTHORIZED AGENT* (if applicable)

2. Name of applicant: (Last) Palmer (First) Jacqueline (MI) E

Mailing address of applicant (Street/P.O. Box): 1302 Dominion Lakes Blvd.

(City): Chesapeake (State): VA (Zip Code): 23320

Daytime telephone number of applicant: (757) 343-7971 Fax: (757) 466-1987

E-mail address: Caribbistiles@gmail.com

Application

Conditional Use Permit - Sale of Alcoholic Beverages for Off-Premises

Page 2

PROPERTY OWNER*

Shepherd Investment, LLC

3. Name of property owner: (Last) SHEPHERD (First) DOUGLAS (MI) C

Mailing address of property owner (Street/P.O. box): 2040 LONG CREEK RD.

(City): VA. BEACH (State): VA. (Zip Code): 23451

Daytime telephone number of owner: (757) 515-4528

E-mail address: _____

***(If applicant/agent/property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)**

CIVIC LEAGUE INFORMATION

Civic League contact: LAKE TAYLOR

Date meeting attended/held: 19 APR 2018

Ward/Super Ward information: ward 4 / super ward 7

CERTIFICATION

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: DOUGLAS SHEPHERD Sign: Douglas Shepherd 4-30-2018
(Property Owner) (Date)

Print name: Jaqueline Palmer Sign: Jaqueline Palmer 5/9/2018
(Applicant) (Date)

(If Applicable)

Print name: _____ Sign: _____
(Authorized Agent Signature) (Date)



EXHIBIT "A"

Description of Operations Sale of Alcoholic Beverage for Off-Premises

Date of Application: 1 Mar 2018

Name of business: MP Island Cafe

Address of business: 6109 EAST VIRGINIA BEACH BLVD

Name(s) of business owner(s)*: Ashley Allen, Michael Palmer & Jacqueline Palmer - Caribbean Isles, LLC

Name(s) of property owner(s)*: Shepherd Investment LLC - Douglas C. Shepherd

Name of business managers/operators Jacqueline Palmer; Michael Palmer

Ashley Allen ; _____ ; _____

Daytime telephone number: (757) 560 4997

*If business or property owner is partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility

Alcoholic Beverage Sales

Weekday	From: <u>9 AM</u>	To: <u>11 PM</u>	Weekday	From: <u>11 AM</u>	To: <u>11 PM</u>
Friday	From: <u>9 AM</u>	To: <u>11 PM</u>	Friday	From: <u>11 AM</u>	To: <u>11 PM</u>
Saturday	From: <u>9 AM</u>	To: <u>11 PM</u>	Saturday	From: <u>11 AM</u>	To: <u>11 PM</u>
Sunday	From: <u>9 AM</u>	To: <u>11 PM</u>	Sunday	From: <u>11 AM</u>	To: <u>11 PM</u>

2. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☒ Mixed Beverage

3. Alcoholic beverages to be sold:

☒ Room temperature ☒ Refrigerated

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January 2018)

Sale of Alcoholic Beverages for Off-Premises

4. As a general rule, the City does not approve selling beer in a single-sized serving container or selling wine in a bottle that is less than 375 milliliters. If you are seeking approval to sell servings that do not meet these criteria, please explain your justification as well as indicate what sizes you would sell:

requesting single sales for specialty beer & wine only

Macquelin Palmer
Signature of applicant/owner

GENERAL NOTES

- ALL APPLICABLE CONSTRUCTION SHALL CONFORM TO THE LATEST EDITION OF THE I.B.C. INTERNATIONAL BUILDING CODE AND U.S.C. (THE MINIMUM APPLICABLE CODES).
- CODES GOVERN OVER BUILDING PLANS. VERIFY ALL LOCAL CODES AND PRESCRIPTIONS.
- BEFORE THE BEGINNING OF ANY WORK, THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL BUILDING PERMITS FOR THE CONSTRUCTION OF THIS PROJECT AS REQUIRED BY THE BUILDING INSPECTION DEPARTMENT OF THE COUNTY OR CITY THE PROJECT IS LOCATED IN.
- BUILDING PERMITS SHALL BE PROMPTLY AND COMPREHENSIVELY POSTED AT THE BUILDING SITE AT ALL TIMES DURING CONSTRUCTION.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON THESE PLANS PRIOR TO COMMENCING CONSTRUCTION ON THIS PROJECT.
- APPROVED TYPE ELECTRICALLY RATED AND LISTED SHALL BE INSTALLED OVER ALL EXISTING ROOFING AS REQUIRED BY CODE. WHERE NECESSARY DIRECTIONAL BOARD SHALL BE PROVIDED TO INDICATE DIRECTION OF CORNER.
- APPROVED EGRESS LIGHTING SHALL BE PROVIDED FOR ELIMINATION OF ALL AREAS OF EGRESS AS REQUIRED BY CODE. ACTUATION TO BE AUTOMATIC IN THE EVENT OF POWER FAILURE.
- ALL INTERIOR ROOM PROFILES INCLUDING WALL AND CEILING CORUNDUMS FOR ROOMS OR ENCLOSED SPACES SHALL HAVE A FLAME SPREAD RATING OF 300 OR LESS.
- ALL HEATING, VENTILATING AND AIR CONDITIONING ANALYSIS, ELECTRICAL, MECHANICAL SHALL BE PROVIDED IN ACCORDANCE WITH ALL APPLICABLE LOCAL CODES AND ORDINANCES AND WITH EVIDENCE OF STANDARD TRADE PRACTICES. REQUIRED BUILDING PERMITS SHALL BE OBTAINED AND PAID FOR BY THE RESPECTIVE TRADES.

HEALTH DEPARTMENT NOTES

- MATERIALS FOR INDOOR FLOOR, WALL, AND CEILING SURFACES UNDER CONDITIONS OF NORMAL USE SHALL BE:
 - SMOOTH, DURABLE, AND EASILY CLEANABLE FOR AREAS WHERE FOOD ESTABLISHMENT OPERATIONS ARE CONDUCTED;
 - CLOSELY JOINED AND EASILY CLEANABLE CARPET FOR UNEXPOSED AREAS;
 - NONPOROUS FOR AREAS SUBJECT TO MOISTURE SUCH AS FOOD PREPARATION AREAS, WALL-IN REFRIGERATORS, WAREWASHING AREAS, TOILET ROOMS, MOBILE FOOD ESTABLISHMENT SERVING AREAS, AND AREAS SUBJECT TO FLOODING OR SPRAY CLEANING METHODS.
- IN FOOD ESTABLISHMENTS IN WHICH CLEANING METHODS OTHER THAN WATER FLOODING ARE USED FOR CLEANING FLOORS, THE FLOOR AND WALL JUNCTURES SHALL BE COVERED AND CLOSED TO NO LARGER THAN 1/32 INCH.
- THE FLOORS IN FOOD ESTABLISHMENTS IN WHICH WATER FLOODING METHODS ARE USED SHALL BE PROVIDED WITH DRAINS AND BE GRADED TO DRAIN, AND THE FLOOR AND WALL JUNCTURES SHALL BE COVERED AND SEALED.
- ATTACHMENTS TO WALLS AND CEILINGS SUCH AS LIGHT FIXTURES, MECHANICAL ROOM VENTILATION SYSTEM COMPONENTS, HOIST COVERS, WALL MOUNTED FANS, DECORATIVE FIXTURES, AND OTHER ATTACHMENTS SHALL BE EASILY CLEANABLE IN A CORRESPONDING AREA, WALL, AND CEILING SURFACES AND DECORATIVE FIXTURES AND ATTACHMENTS THAT ARE PROVIDED FOR AMBANCE NEED NOT MEET THIS REQUIREMENT IF THEY ARE EASILY CLEAN.
- HEATING, VENTILATING, AND AIR CONDITIONING SYSTEMS SHALL BE DESIGNED AND INSTALLED SO THAT MAKE-UP AIR INTAKE AND EXHAUST INTAKE DO NOT CAUSE CONTAMINATION OF FOOD, FOOD-CONTACT SURFACES, EQUIPMENT, OR PERSONS.
- LIGHT BULBS SHALL BE SHIELDED, COVERED, OR OTHERWISE SHATTER-RESISTANT IN AREAS WHERE THERE IS EXPOSED FOOD, CLEAN EQUIPMENT, UTENSILS, AND LINENS, OR UNARMED CHILDREN-ACCESSIBLE AREAS.
- THE LIGHT INTENSITY SHALL BE:
 - AT LEAST 10 FOOT CANDLES (FC) AT A DISTANCE OF 30 INCHES (75 CM) ABOVE THE FLOOR IN WALL-IN REFRIGERATOR UNITS AND DRY FOOD STORAGE AREAS AND IN OTHER AREAS AND ROOMS DURING PERIODS OF CLEANING;
 - AT LEAST 30 FOOT CANDLES (FC) AT:
 - AT A SURFACE WHERE FOOD IS PROVIDED FOR CONSUMER SELF-SERVICE SUCH AS BUFFETS AND SALAD BARS OR WHERE FRESH PRODUCE OR PACKAGED FOODS ARE SOLD OR OFFERED FOR CONSUMPTION;
 - WHERE EQUIPMENT SUCH AS REACH-IN AND UNDER-COUNTER REFRIGERATORS;
 - AT A DISTANCE OF 30 INCHES (75 CM) ABOVE THE FLOOR IN AREAS USED FOR HANDWASHING, WAREWASHING, AND EQUIPMENT AND UTENSIL STORAGE, AND IN TOILET ROOMS; AND
 - AT LEAST 50 FOOT CANDLES (FC) AT A SURFACE WHERE A FOOD EMPLOYEE IS WORKING WITH FOOD OR WORKING WITH UTENSILS OR EQUIPMENT SUCH AS KNIVES, SCALDERS, CHOPPERS, OR SAWS WHERE EMPLOYEE SAFETY IS A FACTOR.
- TO AVOID FRAMING CONFLICTS, VERIFY ALL HANG REQUIREMENTS PRIOR TO FRAMING.
- COORDINATE THE LOCATION OF ALL PLUMBING PIPING WITH THE MECHANICAL AND ELECTRICAL EQUIPMENT.
- ELECTRICAL AND PLUMBING SHALL BE REVIEWED IN BEFORE THE FRAMING INSPECTION IS MADE.
- ALL PORTABLE WATER OUTLETS SHALL BE PROTECTED FROM CROSS CONNECTIONS.
- PROMOTE EXHAUST FANS, VENTED DIRECTLY TO THE OUTSIDE, IN BATHROOMS, WHERE CLOSET COMPARTMENTS, AND OTHER SMALL ROOMS WITHOUT THE MINIMUM REQUIRED VENTILATION REQUIREMENTS.
- APPROVED FIRE EXTINGUISHERS SHALL BE PROVIDED FOR THIS BUILDING AS REQUIRED BY CODE.
- ALL VERTICAL FIRE RESISTANT RATED ASSEMBLIES SHALL BE DESIGNED BY SOMEONE LISTED ON THE REVENUE SHOW. THE CEILING, SUCH AS Gypsum BOARD, SHALL HAVE LITERS NO SMALLER THAN ONE INCH IN HEIGHT. THAT EXITS THE LIMITED ACCESSIBLE AND DURING THE REMOVAL OF THE CEILING, THE REMOVAL SHALL BE PLACED AT HORIZONTAL INTERVALS OF EIGHT FEET.
- CONCEALED THE WALLS, VERTICAL FIRE RESISTANT ASSEMBLIES (FIRE BARRIERS, FIRE PARTITIONS, AND FIRE BARRIERS) SHALL BE DESIGNED AND CEILING AND ROOF OF ALL CEILING ACCESS SHALL BE DESIGNED TO PROVIDE ACCESS TO SUCH THE RATED ASSEMBLIES BY SOMEONE LISTED NO SMALLER THAN ONE INCH IN HEIGHT. SUCH ROOFING SHALL BE PROVIDED AT HORIZONTAL INTERVALS OF NO MORE THAN EIGHT FEET.

BUILDING PARAMETERS

FIRE AREA #1

COMMERCIAL KITCHEN	706 SQ FT
OFFICE/BREAK ROOM/ STORAGE	569 SQ FT
GROCERIES STORE	1707 SQ FT
COUNTER TOP/ SERVICE AREA	972 SQ FT
TABLE AND CHAIR SEATING AREA	677 SQ FT
TOTAL FIRE AREA #1	4631 SQ FT

FIRE AREA #2

RESTROOMS	238 SQ FT
BAR AREA	278 SQ FT
SEATING AREAS FIXED AND TABLE/CHAIR	966 SQ FT
TOTAL FIRE AREA #2	1482 SQ FT
BUILDING TOTAL AREA	6113 SQ FT

CONSTRUCTION CLASSIFICATION

USE GROUP : MIXED OCCUPANCY, UNSEPARATED M (MERCANTILE) & A-2 (RESTAURANT)

TYPE CONSTRUCTION : V-B NON-COMBUSTIBLE, UNSPRINKLERED, UNPROTECTED

OCCUPANCY LOAD :

FIRE AREA #1

COMMERCIAL KITCHEN	4 (200 GROSS)
ACCESSORY AREA	10 (300 GROSS)
ASSEMBLY UNCONCENTRATED	45 (65 NET)
ASSEMBLY FIXED SEAT	20
FIRE AREA #1 TOTAL	79

FIRE AREA #2

JUICE BAR SERVICE AREA	2 (200 GROSS)
ASSEMBLY (FIXED SEAT)	40
FIRE AREA #2 TOTAL	42
BUILDING TOTALS	121

CODE & EDITION EMPLOYED :

VIRGINIA CONSTRUCTION CODE 2012
IBC INTERNATIONAL BUILDING CODE CODE 2012, AS AMENDED BY THE STATE

PLUMBING FIXTURE TABULATION

OCCUPANCY :	FIXTURE REQMT:	
	MEN	WOMEN
ASSEMBLY (1/75) (1/75)	0.80	0.80
TOTAL REQUIRED	1	1
EXISTING FIXTURES PROVIDED	0	1
NEW FIXTURES PROVIDED	2	1
TOTAL	2	2

FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

WALL TYPES

EXISTING 2 HOUR RATED DEMANDING WALL
EXISTING CONSTRUCTION TO BE REMAIN
NEW FULL HEIGHT WALL NO: 2 (0) / A-2
NEW HALF HEIGHT WALL NO: 2 (0) / A-2
EXIT DOOR
EMERGENCY EXIT DOOR

AREA OF WASHABLE CEILING

FOR: MIKE PALMER
4109 EAST VIRGINIA BEACH BLVD
NORFOLK, VA 23502

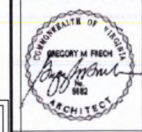
DATE: 12/21/2018
REVISIONS:

MP ISLAND CAFE/ GROCERY STORE

FLOOR PLANS

SHEET: A-1
DATE: MARCH 2018
SCALE: AS NOTED
DRAWN BY: L.C.E.
CHECKED BY:

4356 BONNEY ROAD
BUILDING 3, SUITE 102
VIRGINIA BEACH, VA 23452
(757) 498-9600
WEBSITE:
www.gmplus.com

[illegible]

MP ISLAND CAFE/ GROCERY STORE
FOR:
MIKE PALMER
6109 EAST VIRGINIA BEACH BL VD
NORFOLK, VA 23502

FLOOR PLANS	
SHEET :	A-1
DATE :	MARCH 2018
SCALE :	AS NOTED
DRAWN BY :	BMA, CLE
CHECKED BY :	

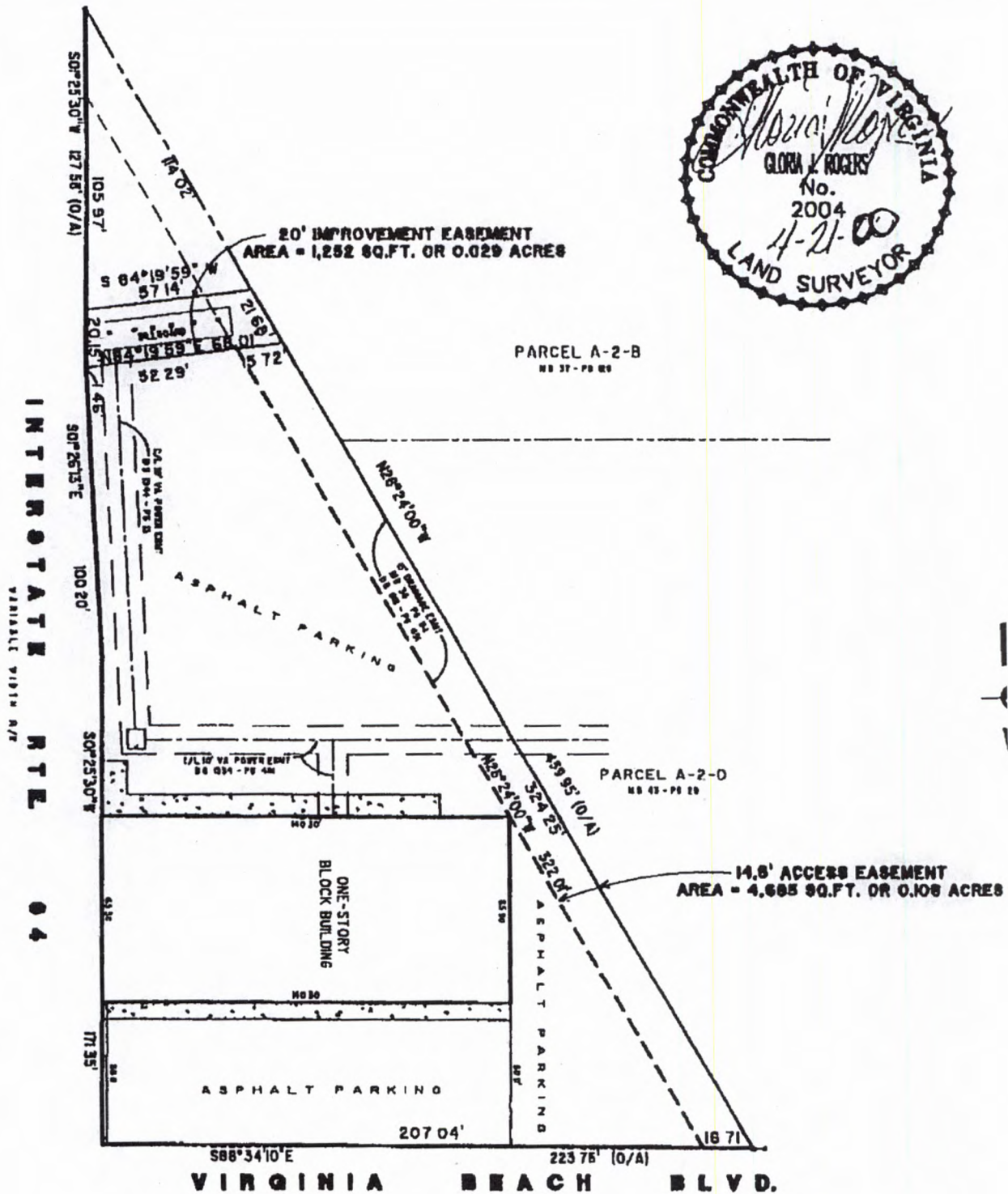


EXHIBIT SHOWING
 14.6' ACCESS EASEMENT
 AND
 20' IMPROVEMENT EASEMENT
GOOD NEWS, L.L.C.

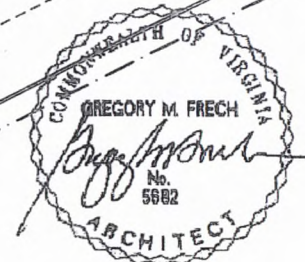
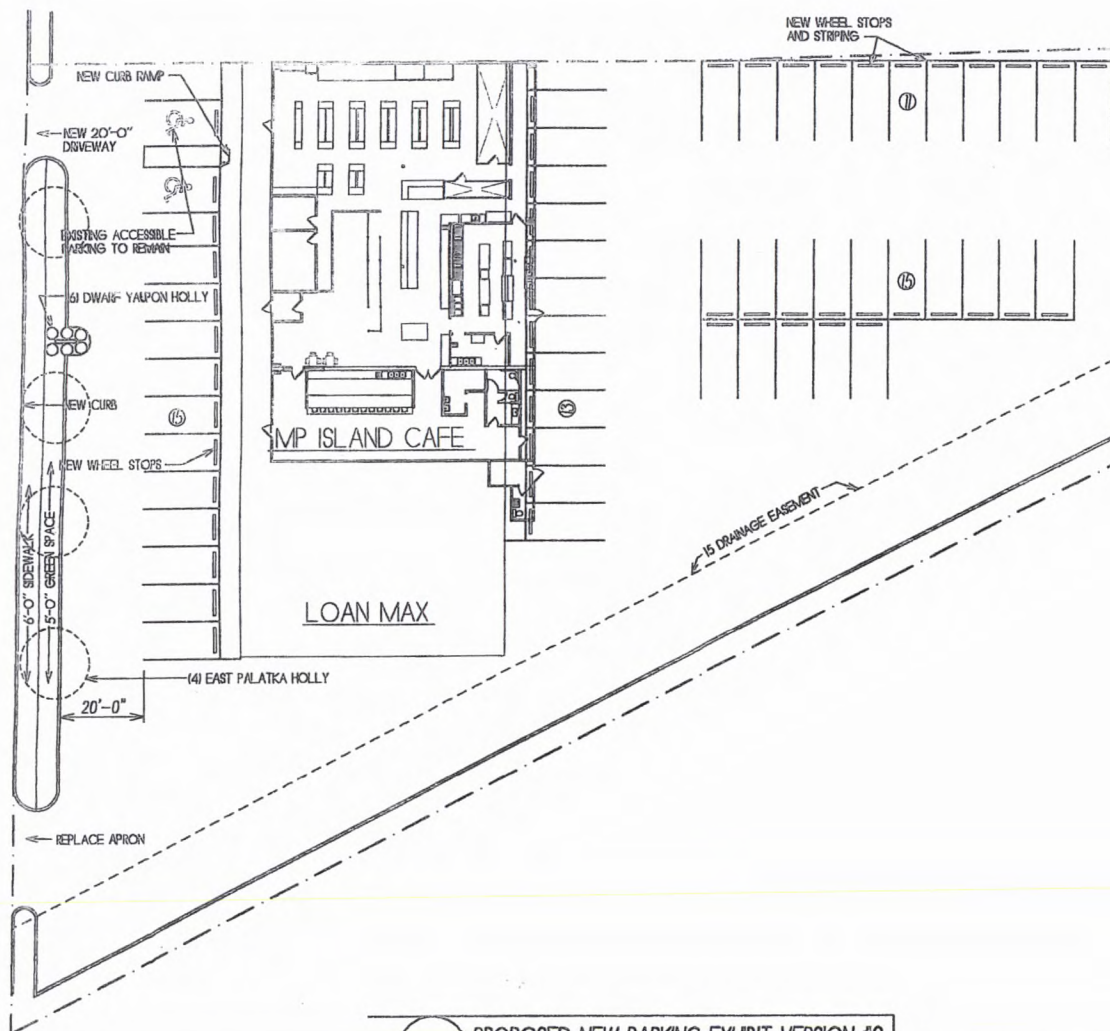
NORFOLK, VIRGINIA
 DEED REF: DOCUMENT # 990013736
 SCALE: 1" = 50'



HASSELL & FOLKES, P.C.
 ENGINEERS-SURVEYORS-PLANNERS
 303 VOLVO PARKWAY
 CHESAPEAKE, VIRGINIA 22080
 PHONE (757) 547-9000 FAX (757) 547-

GMF + ASSOCIATES

4355 HONEY BIRD
MILFORD & BAYVIEW
VIRGINIA BEACH, VA 23462
757 430-9600
VIRGINIA LICENSE NO. 0000000000



SITE PARAMETERS

GROCERY STORE AREA	2,222 SQ.FT.
PARKING (1 SPACE PER 250 SQ.FT.)	9 SPACES
RESTAURANT / JUICE BAR	3,894 SQ.FT.
PARKING (1 SPACE PER 150 SQ.FT.)	26 SPACES
LOAN MAX	3,223 SQ.FT.
PARKING (1 SPACE PER 250 SQ.FT.)	13 SPACES
TOTAL BUILDING	9,339 SQ.FT.
REQUIRED PARKING SPACES	48 SPACES
REQUIRED ACCESSIBLE SPACES	2 SPACES
PRVIDE PARKING SPACES	50 SPACES

MP ISLAND CAFE / GROCERY STORE

A PROPOSED COMMERCIAL FACILITY

FOR :

MIKE PALMER

6109 EAST VIRGINA BEACH BLVD
NORFOLK, VA 23502

7-27-18

PROPOSED NEW PARKING EXHIBIT VERSION #2

6101 E Boulevard Associates, Llc
6106 E Virginia Beach Blvd
Norfolk VA 23502-2702

Baine, Alice E Revocable Living Trust
6171 Blackstone St
Norfolk VA 23502-4707

Boulevard Investors, Llc
1611 Falls Brook Run
Chesapeake VA 23322-2175

Downs Brothers Investments
505 N Witchduck Rd Ste A
Virginia Beach VA 23462-1985

Hampton Mercury Investment Co
27750 Stanbury, Suite 200
Farmington Hills MI 48334

Harvey, Damien S & Tiffany A
6105 Lockamy Ln
Norfolk VA 23502-2712

Kdd Properties, Llc
505 N Witchduck Rd
Virginia Beach VA 23462

Mcap Capitol Llc
Po Box 2064
Charlottesville VA 22902-2064

Mk Menlo li Property Owner, Llc
580 White Plains Rd
Tarrytown NY 10591

Pcw, Llc
5795 Thurston Ave
Virginia Beach VA 23455-3304

Poplar Hall Llc
Po Box 16428
Chesapeake VA 23328-6428

Ptl Investments, Llc
7328 Warwick Blvd Ste A
Newport News VA 23607

Shepherd Investment Llc
2040 Long Creek Rd
Virginia Beach VA 23451

Simmons, Sam Iii
6113 Lockamy Ln
Norfolk VA 23502-2712

Soble, Joshua P & Jeana M
6109 Lockamy Ln
Norfolk VA 23502-2712

Williams, Bernadette
6117 Lockamy Ln
Norfolk VA 23502-2712

WI Realty, Llc
632 Jacqueline Ave
Norfolk VA 23462

Pollock, Susan

From: Williams, Sherri
Sent: Friday, June 15, 2018 10:13 AM
To: 'LakeTaylorCivicLeague@gmail.com'; 'bruce.erie@cox.net'
Cc: Riddick, Paul; Graves, Angelia; Koolman, Delk S; Pollock, Susan (susan.pollock@norfolk.gov)
Subject: New Planning Commission Application- 6109 E. Virginia Beach Blvd Suite B
Attachments: Application.pdf

Mr./Mrs/

Attached please find the following applications tentatively scheduled to be heard at the July 26, 2018 Planning Commission public hearing:

MP ISLAND CAFÉ, for a Conditional Use Permit for the sale of alcoholic beverages, off-premises at 6109 E. Virginia Beach Boulevard, Suite B.

The purpose of this request is to add accessory off-premise sales of alcoholic beverages to the approved restaurant and grocery store.

Staff contact: Susan Pollock (757) 664-4765, susan.pollock@norfolk.gov

Thank You

Sherri Williams
Planning Technician

Planning Department
810 Union Street | Suite 508
Norfolk, VA 23510
(757) 664-6771

LAKE TAYLOR CIVIC LEAGUE
POST OFFICE BOX 12753
NORFOLK, VIRGINIA 23541

April 23, 2018

City of Norfolk, Planning Commission
City Hall Building
810 Union Street, Suite 508
Norfolk, VA 23510

RE: Conditional Use Permit – MP Island

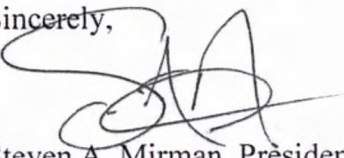
Dear Sir or Madam:

The Lake Taylor Civic League met on April 19, 2018 and discussed the MP Island proposal for 6109 East Virginia Beach Boulevard, Norfolk. We had over 35 members in attendance and after discussion and a vote regarding whether to support this project, it was unanimously approved by the members for the establishment to proceed as described below in a letter by Jacqueline E. Palmer.

“Our grocery is international grocery, and our restaurant is a Caribbean take-out or Dine-in restaurant serving Caribbean style food with a Bar open to our Dine-in customers with no entertainment (No DJ, live performances, or dance floor). This location does not involve any form of night club and is strictly a restaurant and Dine-in bar. Our Grocery will include the selling of off premises beer and wine such as any local grocery store.”

Thank you for your consideration of our organization in your approval process.

Sincerely,



Steven A. Mirman, President
Lake Taylor Civic League